

REMARKS

Claims 1 and 3 have been amended, claim 2 canceled, to improve the clarity of the claimed subject matter and to bring the claims into conformity with U.S. Practice and format, and to place the application fully in condition for allowance. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case. The original Abstract has been amended to provide a more concise summary of the disclosure in accordance with U.S. practice format.

Applicant has not yet received an indication from the Examiner as to the acceptability of the originally filed drawings and requests such indication in the next Official Action, in the absence of which it is assumed that the original drawings are acceptable.

Claims 1 and 3 remain pending upon entry of the amendments to the claims above. Claims 4-9 have been withdrawn from consideration due to an earlier restriction requirement.

Claim Rejections under 35 U.S.C. § 103

Claims 1 and 3 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. 5,695,065 (Kennedy et al.) in view of U.S. 2,653,751 (Vogt). Claims 1 and 2 are rejected under 35 U.S.C. § 103 as being unpatentable over Kennedy et al. in view of U.S. 5,860,529 (Smithson et al.). Claim 2 has been canceled, and all of the elements of canceled claim 2 have substantively been incorporated into independent claim 1. Independent claim 1 has been amended to more positively claim the inventive subject matter, in accord with U.S. practice and format. If the earlier rejections are to be maintained with regard to pending claims 1 and 3, Applicant most respectfully traverses such finding.

The claimed invention recites a parallelepiped container 1 having an opening assembly on a top surface thereof. A stack of plastic bags 20 are placed within the container 1, each of the plastic bags 20 includes an opening 201 at a front side thereof, a closed end 202 at a rear side thereof, two folded sections 203 at sides between the front and the rear sides, wherein each of the folded sections 203 is folded symmetrically inwards, and an adhesive 3 is positioned on a top surface near the opening of the bag for detachably sticking an adjacent one of the plastic bags, wherein the closed ends thereof are bent toward the openings 201 of the bags 20 so as to form a bent section 21 at an underside of the stack. The opening assembly comprises a widthwise opening 10 near one side thereof above the bent section 21, a central lengthwise opening 11 extended from and perpendicular to the widthwise opening, and a flared opening 12 extended from the lengthwise opening to the position above the openings of the bags.

In use, a user may pull a top bag 20 by holding its openings 201 through the flared opening 12 of the container 1. Thus, the bag 20 is drawn from the flared opening 12, lengthwise opening 11 and widthwise opening 10, until the bag 20 is completely removed from the widthwise opening 10 and disengaged from the bag 20 below the removed bag. At the point of detachment between the two adjacent bags, top halves of both folded sections 203 and opening 201 of the bag remaining partially in the container is exposed on the top of the container 1. The adhesive force of the adhesive 3 connecting two adjacent bags, only allows top halves of both folded sections 203 and opening 201 of the next/adjacent bag 20 to be exposed on top of the container 1, as the folded sections 201 of the next bag 20 are stopped in the lengthwise opening 11, while the bag on top thereof is being removed.

The Examiner seeks to modify the base reference to Kennedy et al. by using either of the references to Vogt or Smithson et al., which teaches the use of adhesives that connect adjacent bags. With regard to the cited references, Applicant most

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respectfully submits that the following elements of the claimed invention are not taught, disclosed or suggested in the prior art, alone or in combination thereof:

a stack of plastic bags placed within a container, which comprises a plurality of plastic bags each including an opening at a front side thereof, a closed end at a rear side thereof, two folded sections at sides between the front and the rear sides wherein each folded section is folded symmetrically inwards, and an adhesive on a top surface near the opening of the bag for sticking to an adjacent bag, wherein the closed ends are bent downward toward the openings of the bags so as to form a bent section at an underside of the stack, and wherein the container having an opening assembly on top thereof comprises a widthwise opening 10 near one side, above the bent section 21, a central lengthwise opening 11 extended from and being perpendicular to the widthwise opening 10, and a flared opening 12 extended from the lengthwise opening 11 to the position above the openings of the bags.

The Examiner is respectfully referred to Figure 1 of the application, which illustrates the claimed openings 10, 11 and 12, as well as the relative position of the bent section 21 with regard to the widthwise opening 10. Applicant, respectfully submits that the claimed features are not disclosed in any of the prior art references, alone or in combination thereof.

In view of the amendments to the claims, and the remarks above, withdrawal of the rejections based on 35 U.S.C. § 103 is respectfully requested.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the event there are any outstanding matters remaining in the present application which can

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be resolved by a telephone call or facsimile communication to Applicant's Attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,
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Date: March 15, 2004

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